

grippe, whereas it contained no ingredients or medicinal agents effective as a treatment, remedy, or cure for coughs, influenza, headaches, fever, or la grippe.

On January 7, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19382. Misbranding of Dead Shot. U. S. v. 12 Dozen Jars of Dead Shot. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26938. I. S. No. 36902. S. No. 5140.)**

Examination of a drug product, known as Dead Shot, from the shipment herein described having shown that the jar and carton labels and a circular accompanying the article contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Texas.

On September 4, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 12 dozen jars of Dead Shot at Beaumont, Tex., alleging that the article had been shipped by the Dead Shot Co., Marion, Ark., on or about July 25, 1931, and had been transported from the State of Arkansas into the State of Texas, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sulphur (7.4 per cent), volatile oils (28 per cent) including turpentine oil, methyl salicylate, and camphor, phenol (0.5 per cent), ammoniated mercury (6.3 per cent), arsenic trioxide (0.014 per cent), petrolatum, and wax.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Jar) "Dead Shot. For all Skin Diseases, Such as Eczema, Tetters, Ring Worm, Rice Poison, Pimples, Dandruff, Blackheads and Old Sores, Erysipelas;" (carton) "Dead Shot For all Skin Diseases Such as Eczema, Tetters, Erysipelas, Ring Worm, Rice Poison, Pimples, Blackheads, Old Sores;" (circular) "For All Skin Diseases \* \* \* For Skin Diseases, Particularly Recommended for Eczema, Tetters, Ring Worm, \* \* \* Rice Poison, Pimples, Black Heads, Old Sores, Erysipelas, \* \* \* For diseases above enumerated as well as for \* \* \* Dandruff \* \* \* Follow directions closely. In rare cases of Eczema, Erysipelas and \* \* \* the treatment may require more than one jar. For Eczema and Dandruff. \* \* \* Apply Dead Shot once each day until symptoms disappear. In case of Eczema continue treatment for one week after symptoms disappear. \* \* \* Dead Shot is good for Skin Diseases and skin Eruptions on animals, also for Chicken Warts. \* \* \* Following are testimonials in regard to the curative virtues of Dead Shot: ' \* \* \* My wife had a bad case of Eczema on her scalp, arms and chest. I was advised by three (3) well known physicians to take her to a hospital and have her hair clipped off, but as a last resort, and before taking her and having her hair cut off, a friend advised me to try Dead Shot, so I did, and, am thankful to say that only one jar of this wonderful remedy completely cured her.' \* \* \* 'I can safely recommend it for all skin diseases.' \* \* \* 'I have never seen any medicine that equals it for skin diseases \* \* \* I can cheerfully recommend it to any one suffering from skin diseases.' \* \* \* 'I have now used your Dead Shot on the body of my son. He has had the Eczema for the last six years. I have had three of the best doctors in Dallas attending him, but could do no good until I used your Dead Shot. Two Bottles cured, I may say permanently.' \* \* \* 'This is to certify that I was cured of Tetters entirely by using Drinkard's Dead Shot.' \* \* \* 'In the year 1889, about August I think, I brought one box of Dead Shot for Tetters. It acted as a perfect cure and have never noticed any symptoms since using.' \* \* \* 'After using about one-third of a bottle of your Dead Shot the Tetters entirely disappeared and I have not been bothered with it since.' \* \* \* have used his remedy, Dead Shot, for Eczema, and find it one of the best, if not the best, remedy for that disease I have ever used and can cheerfully recommend it to anyone suffering with Eczema.' \* \* \* and after using two jars of it I have been completely cured of Eczema, which I have had for seven years.

I will recommend Dead Shot to all of the world who may have skin disease.' \* \* \* recommend the same for all skin diseases.' \* \* \* 'I was troubled with Erysipelas, I used one-half bottle of your Dead Shot and am now entirely cured.' \* \* \* 'I bought one box of your salve, and it cured my little girl of a bad case of Eczema, and I would not do without it.' \* \* \* 'This is to certify that Dead Shot cured me of Eczema when everything else failed. \* \* \* I can highly recommend Dead Shot as a cure for Eczema.' \* \* \* 'I have been troubled with Eczema for years and have tried your Dead Shot medicine and found it to be permanent cure.' \* \* \* 'I have used one-half bottle your Dead Shot for Eczema on my feet. It has given satisfaction so far and I think it will completely cure me.' \* \* \* and after three applications the Ringworm had entirely disappeared. I heartily indorse and recommend Dead Shot to any one troubled with Ringworm.' \* \* \* one jar of Drinkard's Dead Shot I was entirely cured of Tetter of long standing.' \* \* \* 'I had a bad case of Eczema on my chin, which was of long standing. After using several remedies recommended me by my friends, without avail, I was advised to use Drinkard's Dead Shot, which in one week's time cured me, and I can more than cheerfully recommend it to anyone.' \* \* \* 'This is to certify that I had Eczema for 12 years, three doctors failed to relieve me. K. Drinkard's Dead Shot cured me.'

On October 30, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19383. Misbranding of Vege-Lene stomach and liver pills. U. S. v. 40 Packages of Vege-Lene Stomach & Liver Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27604. I. S. No. 42907. S. No. 5597.)**

Examination of the drug product Vege-Lene stomach and liver pills, from the shipments herein described, having shown that the vial and carton labels and an accompanying circular contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On December 26, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 40 packages of the said Vege-Lene stomach and liver pills, remaining in the original unbroken packages at Bethlehem, Pa., alleging that the article had been shipped by the Vege-Lene Co. (Inc.), Warsaw, N. Y., in part on or about September 29, 1931, and in part on or about October 22, 1931, and had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained extracts of plant drugs including aloe, podophyllum, and nux vomica.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Vial) "Stomach and Liver \* \* \* Billiousness, Sick Headache, Torpid Liver, \* \* \* General Debility, Etc. Cures That Tired Feeling;" (carton) "Stomach and Liver \* \* \* Stomach and Liver \* \* \* Stomach and Liver \* \* \* for the cure of Dyspepsia, Sick Headache, \* \* \* Indigestion, Hemorrhoids or Piles, General Weakness, Dizziness, Pains in the Head, Chest, Bowels, Etc.;" (cut carton) "Stomach and Liver \* \* \* Billiousness, Sick Headache, Etc.;" (circular) "Stomach and Liver \* \* \* Dyspepsia, Sick Headache, Torpid Liver, Billiousness, \* \* \* General Debility, Etc. Avoid Constipation by taking Vege-Lene Stomach and Liver Pink Pills, and Live Long and Happy. \* \* \* Jaundice, Torpid Liver, Billiousness, Sallow Skin, Indigestion, \* \* \* Pimples, \* \* \* Boils, Dizziness, \* \* \* Cramps, Rheumatism, Colic, Etc. You can easily avoid all these troubles and keep your system pure and healthy by taking from time to time one or two Vege-Lene Stomach and Liver Pink Pills. When your stomach, Liver or Bowels get out of order, take one or two Vege-Lene Pills and notice the quick effect and great relief you will experience. \* \* \* they will be a great aid to your health and happiness. \* \* \* Systematic Tonic—